

10-AA 0501

**ENVIRONMENTAL HEALTH SERVICES DEPARTMENT**

**MATTHEW CONSTANTINE, R.E.H.S., Director**

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July 7, 2006

**RESOURCE MANAGEMENT AGENCY**

**DAVID PRICE III, RMA DIRECTOR**

Community and Economic Development Department  
Engineering & Survey Services Department  
Environmental Health Services Department  
Planning Department  
Roads Department

102-B

Michael Trueman, President  
Lokern Farms Composting Facility  
3824 E. Highland Avenue  
Phoenix, AZ 85018-3620

**SUBJECT: NOTICE AND ORDER No. 628-06-02**

Dear Mr. Trueman:

Kern County Environmental Health Services Department, as the Local Enforcement Agency (LEA) for the California Integrated Waste Management Board (CIWMB), hereby issues a Notice and Order in the matter of the operation of Lokern Farms Composting Facility which is not authorized by the current permit. Lokern Farms Composting facility is located at on the north side of Lokern road, approximately 1 and ½ miles west of Lost Hills Road, north of McKittrick, California.

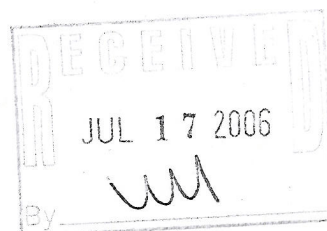
The Trueman – Martin Corporation is the property owner and operator. It has been determined that you are in violation of Public Resources Code Section 44002: *operation of a solid waste facility without a permit.*

This Notice and Order requires the respondents to:

1. By August 15, 2006, submit a Site Restoration Work Plan.
2. Initiate work within 30 days of approval by the LEA of the Site Restoration Work Plan.
3. By October 15, 2006, complete Site Restoration activities.
4. By November 30, 2006, submit a written report to the LEA.

**Please Take Notice:**

1. Failure to correct any of the above listed violations could result in a civil penalty not to exceed ten thousand dollars, (\$10,000.00) for each day the violation occurs, as cited in Section 45023 of the Public Resources Code or in suspension or revocation of the SWFP as cited in Sections 44305 and 44306 of the Public Resources Code.
2. Lokern Farms Composting Facility may also be subjected to a civil penalty, to be imposed administratively by the LEA, not to exceed five thousand dollars (\$5,000.00) for each day violations occurs, as cited in the Public Resources Code, Section 45011, subsection(a).



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3. The LEA may contract for corrective action(s). The LEA shall be reimbursed for the amount the Department expends, including, but not limited to, a reasonable amount for contract administration and an amount equal to the interest that would have been earned on the expended funds.
4. The LEA may request the California Integrated Waste Management Board (CIWMB) to expend available funds to perform any cleanup, abatement, or remedial work needed to protect health and safety of the environment pursuant to Public Resources Code, Section 48020.
5. If the CIWMB expends funds to perform any cleanup, abatement, or remedial work, the CIWMB may seek repayment from responsible parties pursuant to Public Resources Code, Section 48020 et seq. Moreover, funds so expended by the CIWMB constitute a lien upon the real properties owned by any responsible party that is subject to the remedial action pursuant to Public Resources Code, Section 48023.5.

This Notice and Order does not relieve the operator/owner from compliance with any other local, state, and federal requirements and supersedes any previous notice and order letters in the name of Kern County Environmental Health Services Department.

Pursuant to Sections 44307 and 44310 of Public Resources Code, the owner/operator has the right to request a hearing before the Solid Waste Independent Hearing Panel in regard to this Notice and Order within 15 days of receipt of this Notice and Order. A request for hearing form is enclosed.

If you have any questions, please call me at (661) 862-8731.

Sincerely,



William O'Rullivan, R.E.H.S.  
Environmental Health Specialist IV  
Solid Waste Program Supervisor

WO:tg

Enclosure

cc: Mary Madison - Johnson, California Integrated Waste Management Board  
Erica Weber, California Integrated Waste Management Board